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ATTORNEY FOR PLAINTIFF
UNITED STATES OF AMERICA

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

**Plaintiff,
vs.**

JAYCOB TYLER KUTZERA,

Defendant.

CR 17-48-GF-BMM

**MOTION IN LIMINE TO
EXCLUDE THE TESTIMONY
OF BOWMAN SMELKO**

The United States hereby moves in limine to preclude the proposed expert testimony of Bowman Smelko, Psy.D. The Defendant filed a notice of his intent to present the testimony of Dr. Smelko. (Doc. 45). The Defendant has indicated that Dr. Smelko will explain sexual fantasy and/or sexual role play to the jury. As this testimony would be irrelevant to the charges in this case, the United States moves

this Court *in limine* to preclude the Defendant from introducing such testimony at trial. The Defendant opposes this motion.

DATED this 13th day of February, 2018.

KURT G. ALME
United States Attorney

/s/ Cyndee L. Peterson
Assistant U.S. Attorney
Attorney for the Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on 2/13/18 , a copy of the foregoing document

was served on the following persons by the following means:

- (1) CM/ECF
- () Hand Delivery
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1. Evangelo Arvanetes- Attorney for defendant Kurtzera

/s/ Cyndee L. Peterson
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Attorney for the Plaintiff